U.S. Department of Transportation Pipeline and Hazardous Materials Adminstration

Plan for Increasing the Public Availability of Information about Agency Operations

OCTOBER 29, 2015

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I. Executive Summary

This plan responds to the March 20, 2015 memorandum from the Department of Transportation's General Counsel and Chief Information Officer requiring each Operating Administration to develop a specific action plan for making "in demand" information publicly available. The Associate Administrator for Hazardous Materials Safety was appointed as the Executive Champion for the development of the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) action plan. The Associate Administrator convened a crossfunctional team of program owners and program support personnel, representing the wide array of functions performed within PHMSA. This team (Working Group), as part of a Departmental effort, reviewed PHMSA's current proactive information disclosure practices and made recommendations on new initiatives to expand this practice.

PHMSA's current information and disclosure practices are currently informed by reviews of web analytics, public inquiries such as Freedom of Information Act (FOIA), Congressional inquiries, press inquiries to PHMSA's Office of Government, International, and Public Affairs (PHG), stakeholder inquiries, and inquiries to program offices. In order to ensure that PHMSA is proactively disclosing information that parallels emerging areas of interest, the Working Group will commit to convening quarterly meetings to discuss trends regarding in demand information. In parallel, this Working Group will examine the extent to which PHMSA's Web Governance Policy is being implemented. This will include examining how Program Area Web Coordinators (PAWCs) are currently appointed across PHMSA programs, the frequency with which content is reviewed, and what processes exist to ensure that web content is responsive to the needs of the public and PHMSA's stakeholders.

Additionally, PHMSA reviewed its posting processes for items such as Congressional reports and testimony, FOIA Logs, FOIA Electronic Reading Room, and also explored additional items for posting.

Based on the review of current practices and operations, PHMSA will commit to six new initiatives to improve the availability of information to the public. These six areas are in Figure 1 below.

Figure 1: PHMSA's 6 New Initiatives for Improving Information Availability

Improving the way that Creating a "Frequently • Evaluating the extent to which PHMSA can PHMSA currently Requested Information" discloses information via webpage driven by in disclose information on demand information and its website specific in demand informed by quarterly investigation and meetings enforcement areas Implementing the Online Adding summary Providing the public with access to PHMSA's CFR statistics on outreach and training activities records schedules recently conducted to training webpages

PHMSA is committed to continuously improving its service to the public and its stakeholders with relevant and timely information regarding its mission, activities, and in demand topics. To this end, PHMSA commits in this action plan to implementing these new initiatives no later than September 30, 2016.

II. Understanding Data in Demand

Review of Existing Practices

PHMSA identifies information/data in demand for posting by regularly reviewing (a) web analytics for its various web pages, (b) analyzing public inquiries (such as FOIA requests and stakeholder inquiries), (c) Congressional inquiries, and (d) press inquiries.

Additionally, PHMSA's Office of Government, International, and Public Affairs (PHG) meets with agency leadership regularly to understand current high-priority activities and determine what the office's role will be in communicating these activities to external audiences, including developing roll-out plans, determining the most appropriate and effective format of the communication, and coordinating clearance of press releases or other forms of announcements.

PHMSA posts a significant amount of information and guidance regarding safety, activities, initiatives, organizational processes, and procedures to its website in order to promote transparency, and keep the public and our industry stakeholders informed. The information on PHMSA's website is regularly reviewed and updated to ensure that the most current information is made available to the public. Following are several examples of current releases that have made PHMSA more efficient and/or were responsive to a demonstrated need for the information.

Regulations

PHMSA's regulations are made available for convenient public access on the <u>Regulations</u> portion of PHMSA's website. On this page, members of the public are able to view general regulatory information that applies to PHMSA broadly, as well as in demand regulatory information pertaining to pipelines and the shipment of hazardous materials. Publicly available regulations tracking keeps the public informed of recently issued rules, as well as rules that are in progress — information that is of use to both Congress and the general public. PHMSA will keep this information current by reviewing on at least a quarterly basis.

National Transportation Safety Board Recommendations

PHMSA responds to safety recommendations issued by the National Transportation Safety Board (NTSB). PHMSA's NTSB Recommendations webpage allows members of the public to access PHMSA's NTSB recommendations, which support PHMSA's commitment to transparency. PHMSA will keep this information current through quarterly reviews by PAWCs (as outlined in PHMSA's Web Governance Policy) in PHMSA's two program offices, or as status updates on recommendations become available.

Training Resources

Education and training programs are vital for fulfilling the mission of the U.S. Department of Transportation, especially for fostering an educated, innovative and highly skilled transportation workforce that will enable the U.S. to compete effectively in the global economy and provide its people with a safe, efficient transportation system. PHMSA sponsors a number of training activities designed to familiarize government and industry personnel with the requirements of pipeline safety regulations and to educate federal and state inspectors in compliance requirements, inspection techniques, and enforcement procedures. These training activities are posted to PHMSA's <u>Training Resources webpage</u> in a user-friendly and accessible manner. PHMSA will keep this information current by reviewing on at least a quarterly basis.

Formal Announcements

PHMSA posts formal announcements such as press releases, home page postings, and tailored informational pages regarding frequently requested topics. Examples include but are not limited to high-profile rulemakings, enforcement actions, and major safety initiatives such as the Safe Transportation of Energy Products. The information on these frequently requested topics is dynamic, and regularly reviewed to ensure that the most current information is made available to the public.

Pipeline Safety- and Hazardous Materials Safety-Specific Information

With respect to program-specific information, PHMSA's Office of Pipeline Safety (OPS) posts a variety of data about federally- and state-regulated energy pipelines and liquefied natural gas (LNG) plants. The operators of these facilities report this data in accordance with Part 191 and Part 195 of PHMSA's pipeline safety regulations. PHMSA provides downloads of the raw data, yearly summaries, multi-year trends of national- and state-level safety performance metrics, and inventories tracking the removal of aging and other higher-risk infrastructure. Raw data available to the public for download is updated monthly, and performance metrics trends are updated daily. The Office of Hazardous Materials Safety (OHMS) makes a range of information and data available through its Hazardous Materials Intelligence Portal (HIP). This includes incident data and statistics, and operational processing data such as the number of special permits

and approvals currently being processed.

Civil Rights

PHMSA's Office of Civil Rights website information was recently updated and separated into stakeholder specific subpages to ensure information on pertinent civil rights issues can be found expeditiously. This includes providing a separate section with information for recipients of PHMSA funds related to their civil rights obligations. PHMSA will keep this information current by reviewing on at least a quarterly basis.

Human Resources

In FY 2015, PHMSA was authorized to hire over 120 new positions. Because of this hiring surge, PHMSA developed a recruitment team to overhaul the existing website and to develop a <u>Careers Toolbox</u> in order to attract potential candidates to the site and to apply for jobs. The Careers Toolbox webpage is reviewed by PHMSA's Office of Human Resources on an ongoing basis to ensure that open positions and other new information are expeditiously made available to the public.

Improving Current Practices

To ensure that information made available to the public is up-to-date and accurate, PHMSA established a Web Governance Policy. This policy provides the web governance structure and procedures required to ensure high quality and consistent content, organization, and presentation of information on http://phmsa.dot.gov and that PHMSA content is in accordance with the Department of Transportation's Departmental Web Policy. This policy outlines the roles and responsibilities of individuals in the web governance system as well as the content publication priority schedule, website maintenance schedule, content posting emergency procedures, and information about web reports. Stemming from this policy, each program office has an appointed web coordinator and back up known as Program Area Web Coordinators (PAWCs), who are responsible for their respective program offices' sections of the website.

To improve current practices as directed by this initiative, the Working Group will meet quarterly to discuss trends in in demand information, and ensure that PHMSA is proactively disclosing information that corresponds to emerging areas of interest. The Working Group will utilize future quarterly meetings to examine the extent to which PHMSA's Web Governance Policy is being implemented. This will include examining the extent to which PAWCs are currently appointed across PHMSA programs, the frequency with which content is reviewed, and what processes take place to ensure that web content is responsive to the needs of the public and PHMSA's stakeholders. The Working Group will leverage contributions from PAWCs in quarterly Working Group meetings moving forward, looking to PAWCs to provide periodic reviews of their program area web content with an aim toward approaching content from an "outsider" perspective: reviewing content for ease of use and clear explanation, as well as inventorying for stale links, and generating suggestions for better utilization of limited home page space.

III. Meeting Mandatory Posting Requirements

Congressional Reports

PHMSA makes a concerted effort to allow public access to Congressional reports on its public website. PHMSA's Briefing Room page currently houses all of the Congressional reports the agency is required to prepare and provide to oversight committees. The reports are generally posted to the web by PHG within two to three days following their submittal to Congress.

Congressional Testimony

All testimonies prepared for PHMSA leadership and cleared by the Department and the Office of Management and Budget are posted to our website for public dissemination. As with reports to Congress, PHG is the responsible office for posting Congressional testimonies. All testimonies are posted to PHMSA's Congressional Testimonies tab, located on the agency's Briefing Room page, within 24 hours following the completion of a hearing.

Freedom of Information Act Request Logs

PHMSA will post a log of its FOIA requests on an annual basis. The FOIA logs will be posted in PHMSA's FOIA <u>Electronic Reading Room</u> under Category 4 – Frequently Requested Records. Prior to posting, the log will be reviewed and redacted, as necessary, for any FOIA Exemptions, including but not limited to FOIA Exemption 6 (privacy). PHMSA's log of FOIA requests received in FY 2014 will be posted by December 31, 2015.

Freedom of Information Act Electronic Reading Room

PHMSA's FOIA Office will conduct yearly audits beginning in May 2016. The audit will include reviewing web analytics and examining the age of information to ensure that statutorily-mandated FOIA Electronic Reading Room records are current as outlined in 5 U.S.C. § 552. The audit will ensure that PHMSA is posting information that is requested three or more times, or anticipated to be requested three or more times.

IV. Considering Additional Items for Posting

Funding and/or Apportionment Tables

PHMSA is committed to providing good and reliable information to the public and its stakeholders. To this end, as part of the Working Group's future efforts, PHMSA will create a space on its website for its Office of Budget and Finance where Congressional justifications and a schedule of grants awards by state can be posted.

Correspondence Logs

PHMSA has explored the possibility of posting correspondence logs and determined that although correspondence logs will not routinely be posted, whenever a FOIA request is received for Congressional correspondence, the responsive records will be posted in PHMSA's Electronic Reading Room.

V. Protecting Sensitive Information from Release

PHMSA ensures it will not post private, privileged, or other sensitive data (such as information protected by FOIA or the Privacy Act or Trade Secrets Act) on its websites by adhering to the Web Governance Policy. Per PHMSA's Web Governance Policy and procedure, website requests go to PHG staff members for general monitoring. Each division/office is also instructed to go through all appropriate levels of review before clearing information for posting. Additionally, PHMSA offices must receive PHG approval before being allowed to post information in certain locations of the external website.

PHG collaborates and consults with PHMSA's Chief Information Officer and Office of Chief Counsel to ensure compliance with the Federal Information Security Management Act of 2002 and all other applicable federal laws, policies, and procedures.

VI. New Initiatives

The following is a description of **new** information and/or data that will be made available in an effort to make PHMSA more efficient, and/or results in disclosing or improving current disclosure of information. PHMSA chose these initiatives after careful review of its existing practices. PHMSA commits to implementing these six new initiatives no later than September 30, 2016.

Website

PHMSA is in the process of improving the way it discloses information via its website. The effort is an ongoing attempt to be more effective in generating information for external audiences, and is driven by website analytics, stakeholder feedback, and other sources. This broad effort encompasses multiple components. The agency has updated, or is updating, current sections of its website that offer information on its hazardous materials safety and pipeline safety program areas. One component of this is the Office of Pipeline Safety's (OPS) development and implementation of a strategic plan to revamp PHMSA's pipeline websites. To bolster this effort, PHMSA will consider updating additional portions of its website, such as the Briefing Room pages, to match the program activities in reorganizing the placement and display of current information. Additionally, new links will allow visitors to more easily identify specific events/topics, in addition to faster access to the latest updates on the agency's activities. The agency will also consider expanding its use of the related links and related downloads portions of its press release and other tier 4 pages to include more information/topics related to the title.

PHMSA will also update its website home page to provide general information such as program descriptions, eligibility requirements, award amounts, annual reports, and more on all of its grant programs in a single location. The new grants overview page will link to existing pipeline and hazardous materials grant pages where more detailed grant information resides. PHMSA will include "Grants" as a drop down item on the pipeline and hazardous materials menus to help viewers easily access this information. Significant progress has already been made on PHMSA's overall website initiatives, and quarterly status updates on the outcomes of these efforts will be provided through September 2016.

Additionally, PHMSA is undertaking a focused, high-level assessment of its agency-wide data and analysis needs and capabilities, identifying a strategy for the collection, use and analysis of data required to achieve its mission. PHMSA collects and stores data from various sources, but lacks a comprehensive approach to managing that data to support decision making and engagement to ensure public trust. The data assessment will provide PHMSA with a gap analysis and framework to inform investments in data collection, analysis and use – to include investments in information technology – that will begin in FY 2017.

PHMSA will also address challenges including transparent reporting of timely and relevant safety data on its website and through handheld device applications to increase efficiency and reduce the long term total cost of collecting and managing safety data. Specifically, PHMSA proposes to organize and present its data in better ways. Finally, PHMSA's new Using Data to Improve Safety initiative will increase PHMSA's reporting of good and relevant safety data to the public and other stakeholders. Other benefits of the data improvements will be increased input from the public and other stakeholders in the development of regulations, and improved accessibility to industry data and trends driving a more informed PHMSA safety mission.

Frequently Requested Information Webpage

PHMSA will create a "Frequently Requested Information" webpage that will differ from the existing FAQ webpage in that it will focus on the most in demand statistics and data downloads, links to reports, etc., that are dynamic in nature, rather than general questions about PHMSA. The content of this page will be responsive to and informed by a regular review of web analytics, public inquiries, media inquiries to the agency, and future meetings of this Working Group. PHMSA can also explore options for working with the help desk at the National Transportation Library to determine which PHMSA-related requests come in through answers@dot.gov.

Investigation and Enforcement Topical Areas

PHMSA consistently receives requests for information (both public and media inquiries) on the following investigation and enforcement topical areas, which are not publicly accessible at present:

- Pipeline operator comparisons;
- PHMSA inspection details (full);
- PHMSA field investigation status updates;
- Photos of field events and activities, including incidents and facilities;

- Real-time enforcement details for hazardous materials cases to more visibly display recipients of hazmat safety violations and why;
- Additional capabilities for deciphering pipeline safety enforcement cases by subject and not by operator or enforcement action type (i.e., construction, public awareness, corrosion, etc.); and
- Additional details related to accidents/incidents, including the effects of a released product on people or surrounding environments, and precautions the public can take to remove or mitigate health or safety risk.

As part of future Working Group efforts, PHMSA will evaluate the extent to which it can disclose information on these investigation and enforcement topical areas by April 2016. Any information that is determined to be appropriate for public disclosure will begin to become available on PHMSA's website no later than September 2016.

oCFR

PHMSA has initiated a project to develop an online tool [i.e., Online Code of Federal Regulations (oCFR)] that will integrate PHMSA-specific data, tools and resources with the latest volume of the hazardous materials regulations (HMR). More specifically, this tool will provide users with a one-stop shop for referencing the HMR along with any associated letters of interpretation, petitions, special permits, approvals, enforcement data, rulemaking, and outreach/guidance material. As a real-time management tool, the oCFR is comprised of multiple components in support of PHMSA's vision of data and supporting technologies used across multiple lines of business within the Office of Hazardous Materials Safety, and will establish the foundation for future capabilities in support of PHMSA's Office of Pipeline Safety. PHMSA anticipates that the oCFR will be made available by May 2016.

Training Webpages

PHMSA will add to its <u>training webpages</u> summary statistics on outreach and training activities recently conducted, in order to inform the public about the scope and impact of outreach and training activities that PHMSA provides. While PHMSA currently posts upcoming training activities, the public may find value in summary information addressing the locations and types of outreach and training activities conducted, and the number of participants reached. Outreach summary information will be added to PHMSA's training webpages no later than September 2016.

Records Retention Schedules

PHMSA will post hyperlinks that will direct the public to its records retention schedules, in order to inform the public of the records PHMSA maintains.¹ These hyperlinks will be posted to PHMSA's website no later than December 31, 2015.

¹ Records schedules will also include legacy records from the Research and Special Programs Administration (RPSA).

VII.Conclusion

In conclusion, PHMSA is committed to continually serving the public and its stakeholders by providing relevant and timely information about agency operations. In service of this goal, PHMSA commits to implementing the new initiatives identified above no later than September 30, 2016. These include (1) improving the way that PHMSA currently discloses information via its website; (2) creating a "Frequently Requested Information" webpage driven by in demand information and informed by quarterly meetings of this Working Group; (3) evaluating the extent to which PHMSA can disclose information on specific in demand investigation and enforcement topical areas; (4) implementing the Online CFR; (5) adding new summary information on outreach and training activities recently conducted, in order to inform the public about the scope and impact of outreach and training activities that PHMSA provides; and (6) providing the public with access to PHMSA's records retention schedules.